**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19761 of 2006.**
**Date of Decision: 14.12.2006.**

**Tuhi Ram and another**

**------Petitioners.**

**Versus**

**State of Haryana**
**& another** **-------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Gaurav Mohunta, Advocate, for the petitioners.**

**M.M.Kumar ,J.(Oral)**

**Learned counsel requests for withdrawal of the petition with liberty to avail any other remedy in accordance with the law.**

**Dismissed as withdrawn with liberty aforementioned.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19769 of 2006.**
**Date of Decision: 14.12.2006.**

**Narain Das**

**------Petitioner.**

**Versus**

**State of Haryana**
**& others -------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. H.N.Khanduja, Advocate, for the petitioner.**

**M.M.Kumar ,J.(Oral)**

**This petition filed under Article 226 of the Constitution prays for issuance of a writ in the nature of certiorari for quashing the impugned order annexure P-2 dated 26.7.2006, whereby petitioner has been rendered surplus on account of policy of rationalization, wrongly and transferred to Government High School, Samaspur Majra, District Jhajjar from Government Senior Secondary School, Meharana (Jhajjar) due to clerical mistake and contrary to the transfer policy and directing the respondents to cancel the impugned transfer order dated 26.7.2006 and retain the petitioner in Government Senior Secondary School, Mehrana (Jhajjar).**

**For the relief claimed in the instant petition, the petitioner has pursued the matter through respondent No.3, who had sent letter (Annexure P-4) dated 18.7.2006 as well as letter dated 29.7.2006 (Annexure P-5) sent by the Principal of the School for the cancellation of the transfer of the petitioner.**

**Without going into the merits of the case, we deem it**

**just and appropriate to direct the respondents to take cognizance of letter (Annexure P-4) dated 18.7.2006 and letter (Annexure P-5) dated 29.7.2006 sent by the Principal and decide the same expeditiously, preferably within a period of one month from the date a certified copy of this order is presented to respondent No.2. If the claim of the petitioner is found to be meritorious, and decided in his favour then the benefit accruing to the petitioner shall be disbursed within a further period of one month thereafter. It shall be appreciated if a speaking order is passed.**

**Petition stands disposed of in the above terms.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19812 of 2006.**
**Date of Decision: 14.12.2006.**

**Raj Kumar**

**------Petitioner.**

**Versus**

**The Vice Chancellor Kurukshetra University Kurukshetra & another -------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Kirti Kumar , Advocate, for the petitioner.**

**M.M.Kumar ,J.(Oral)**

**Learned counsel requests for withdrawal of the petition with liberty to avail any other remedy in accordance with law.**

**Dismissed as withdrawn with liberty aforementioned.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19824 of 2006.**

**Present:- Mr. R.C.Chatrath, Advocate, for the petitioner.**

**Learned counsel for the petitioner stats that the work charge service of the petitioner has not been counted for qualifying service for the purpose of revised pension**

**Notice of motion for 13.2.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19785 of 2006.**

**Present:- Mr. Sandeep Moudgil, Advocate, for the petitioners.**

**Learned counsel for the petitioners states that the issue raised in the instant petition is pending consideration before this Court in C.W.P.No. 17837 of 2006, which is posted for hearing on 24.1.2007.**

**Notice of motion for 24.1.2007.**

**Although, we are of the view that the order of the Liquidator dated 21.8.2006 is appealable under Section 114 of the Haryana Co-operation Society Act, 1984.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19809 of 2006.**

**Present:- Mr. R.K.Chopra, Advocate, for the petitioners.**

**Learned counsel for the petitioners states that services of the petitioners has been terminated, merely on the ground that they are possessing the two years diploma in Elementary Teachers Training Course from Jammu & Kashmir State Board of School Education.**

**Notice of motion for 19.12.2006.**

**Dasti process.**

**Status quo regarding service of the petitioners shall be maintained.**

**To be listed along with C.W.P.No. 15462 of 2006.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.**
**Anoop**

**( M.M.S. BEDI )**
**JUDGE**

**Civil Writ Petition No. 19797 of 2006.**

**Present:- Mr. R.A.Sheoran, Advocate, for the petitioner.**

**Notice of motion for 13.2.2007.**

**Ms. Ranu Bala Sharma, Central Government Counsel, who is present in the Court , accepts notice on behalf of the respondents and requests for some time to file reply. Learned counsel for the petitioner shall hand over four copies of the writ petition to Ms. Sharma today itself personally, failing which the writ petition shall be deemed to be dismissed without further reference to the Bench.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19846 of 2006.**
**Date of Decision: 14.12.2006.**

**Viney Saini**

**------Petitioner.**

**Versus**

**The Vice Chancellor Kurukshetra University Kurukshetra & another -------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Kirti Kumar , Advocate, for the petitioner.**

**M.M.Kumar ,J.(Oral)**

**Learned counsel requests for withdrawal of the petition with liberty to avail any other remedy in accordance with law.**

**Dismissed as withdrawn with liberty aforementioned.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19768 of 2006.**

**Present:- Mr. D.S.Rawat, Advocate, for the petitioner.**

**Learned counsel for the petitioner has submitted that his son was promoted as Sub Inspector vide order dated 7.1.2003 from retrospective date i.e. with effect from 1.12.2001. His son has died on 17.9.2002 and as such, he could not actually take over the charge on the post of Sub Inspector. The relief of family pension has been denied to him. Although, his son would be deemed to be working as Sub Inspector and has discharged the duty as Sub Inspector from 1.12.2001, though he has died on 17.1.2002 (17.9.2002) ?.**

**Notice of motion for 23.2.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19764 of 2006.**

**Present:- Mr. P.L.Verma, Advocate, for the petitioner.**

**The prayer made in this writ petition for quashing the order dated 30.5.1995 (Annexure P-2) whereby the persons junior to the petitioner are alleged to have been promoted as clerk . It has been further pleaded that the order dated 3.7.2006, dismissing the representation filed by the petitioner for promotion with effect from the aforementioned date i.e. 30.5.1995, be also quashed. It is the admitted position that the petitioner has been promoted on the post of clerk vide order dated 16.1.1998 (Annexure P-3) without raising any objection against his delayed promotion with effect from the date his alleged junior has been promoted. The petitioner has content with his promotion in 1998. It is well settled that filing of representation would not lead to accrual of cause of action has been held by a Constitution Bench of Hon'ble the Supreme Court in the case of S.S.Rathore Vs. State of Madhya Pradesh AIR 1990 SC 10. Even a suit on such cause of action would not be maintainable after a period of eight years. The limitation have provided a suit can easily to permit the filing of written statement as held in Supreme Court State of Madhya Pradesh and another Vs. Bhailal Bhai, AIR 1964 Supreme Court 1006.**

**In view of the above, the writ petition is dismissed.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19798 of 2006.**
**Date of Decision: 14.12.2006.**

**Lakhan Lal Sharma**

**------Petitioner.**

**Versus**

**State of Haryana**
**& others**

**-------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Ashok Kaushik, Advocate, for the petitioner.**

**M.M.Kumar ,J.(Oral)**

**The prayer in the writ petition is for directing the respondents to release the arrears of pay of the petitioner from the period of 27.11.1997 to 31.12.1999 and releasing the arrears of GPF Rs. 117425 along with interest at the rate of 18% per annum from Municipal Committee, Hodal against their service under respondent No.3.**

**For the aforementioned relief claimed in the present writ petition, the petitioner has already represented to the respondents vide representations dated 12.3.2004 and 20.12.2005 (Annexures P-1 and P-2) respectively. Without going into the merits of the case, we deem it just and appropriate to direct the respondents to take cognizance of the representations sent by the petitioner and decide the same expeditiously, preferably within a period of two months from the date a certified copy of this order is presented to them. If the claim of the petitioner is found to be meritorious and decided in his favour, then the**

**benefit accruing to the petitioner shall be given within a further period of two months thereafter. It shall be appreciated if a speaking order is passed.**

**Petition stands disposed of in the above terms.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19810 of 2006.**
**Date of Decision: 14.12.2006.**

**Subhash Chander Mehta ------Petitioner.**
**Versus**
**State of Haryana and others**
**-------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Harish Bhardwaj, Advocate, for the petitioner.**

**M.M.Kumar ,J.(Oral)**

**The prayer in the writ petition is for quashing the tentative seniority list of HES-II (Principal only) as on 1.6.2005 (Annexure P-5) in the grade of Rs.8000-13500 and order dated 9.10.2006 (Annexure P-13) passed by respondent No.2 with the prayer to direct respondent No.1 to 4 after correction in the seniority list the name of the petitioner as per his seniority. and to give him all consequently benefits .**

**For the aforementioned relief claimed in the present writ petition, the petitioner has already represented to respondent No. 3 vide representation Annexure P-14.**

**Without going into the merits of the case, we deem it just and appropriate to direct the respondent No.3 to take cognizance of the representation sent by the petitioner and decide the same expeditiously, preferably within a period of two months from the date a certified copy of this order is presented to them. If the claim of the petitioner is found to be meritorious and decided in his favour, then the benefit accruing to the petitioner shall be given within a further period**

**of two months thereafter. It shall be appreciated if a speaking order is passed.**

**Petition stands disposed of in the above terms.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19773 of 2006.**
**Date of Decision: 14.12.2006.**

**Sunder Lal**

**------Petitioner.**

**Versus**

**State of Haryana**
**& others -------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr.B.K.Bagri, Advocate, for**
**the petitioner.**

**M.M.Kumar ,J.(Oral)**

**The prayer made by the petitioner is for quashing the withholding of amount of Rs. 1,36,826/- from his gratuity vide order dated 27.10.2006 (Annexure P-2). It has also been further prayed that order dated 13.11.2006( Annexure P-5) and order dated 7.12.2006 (Annexure P-7) withdrawing his second ACP and to reduce his pay scale. Further a direction has also been sought to the respondents to direct to restore second ACP scale to the petitioner without effecting any recovery. In that regard, reliance has been placed on the judgment of the Supreme Court in Commissioner & Secretary to Government of Haryana and othersVs. Ram Saroop Ganda and others (Special Leave Petition (Civil) No. 20264 of 2004 ).**

**Notice of motion .**

**Mr. Harish Rathee, Senior Deputy Advocate General, Haryana, accepts notice on behalf of the respondents and submits that the State will comply with the instructions dated 23.11.2006 which instruct all the officers to grant the benefit of the**

**judgment in Ram Saroop Ganda's case (supra) irrespective of the fact whether the person is a party to the proceedings or not. Therefore, learned State counsel points out that the writ petition can be disposed of by directing the petitioner to file a representation by placing reliance on the aforementioned instructions.**

**In view of the above, we deem it just and proper to dispose of the writ petition by directing the petitioner to file a detailed representation making reference to instructions dated 23.11.2006 which seek to implement the order of the Supreme Court in Ram Saroop Ganda's case (supra )without any distinction to all the employees. The petitioner may file representation within a period of two weeks from today with registered A.D. Cover and the same be disposed of as per the aforesaid instructions within period stipulated in decision of SLP.**

**The writ petition is disposed of in the above terms.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 17181 of 2006.**

**Present:-** **Mr. R.K.Malik, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 18523 of 2006.**

**Present:-** **Mr. Ramesh Chahal, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 17167 of 2006.**

**Present:-** **Mr. R.K.Malik, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 17966 of 2006.**

**Present:-** **Mr. Madan Pal, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 17640 of 2006.**

**Present:-** **Mr. Anurag Goel, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19661 of 2006.**

**Present:-** **Mr. R.K.Malik, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19646 of 2006.**

**Present:-** **Mr. N.K.Malhotra, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 3385 of 2004.**

**Present:- Mr. Sandeep Kotla, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On the request made by the learned counsel for the respondent, adjourned to 30.1.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 17204 of 2006.**

**Present:- None for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**In the interest of justice, adjourned to 30.1.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 17175 of 2006.**
**Date of Decision: 14.12.2006.**

**Chubder Pal**

**------Petitioners.**

**Versus**

**State of Haryana**
**& others** **-------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Anurag Goyal, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr.D.A.G.Haryana.**

**M.M.Kumar ,J.(Oral)**

**Learned counsel requests for withdrawal of the petition with liberty to file fresh one on account of certain developments and certain material facts which have now come to the knowledge of the petitioner.**

**Ordered accordingly.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 17174 of 2006.**
**Date of Decision: 14.12.2006.**

**Baljit Singh**

**------Petitioner.**

**Versus**

**The Ambala Central Coop. Bank and another** **------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. Rajbir Sherawat, Advocate, for the petitioner.**
**Mr. S.S.Dalal,Advocate, for the respondents.**

**M.M.Kumar ,J.(Oral)**

**Learned counsel for the respondents has placed on record a copy of the order dated 1.12.2006 showing that the transfer order impugned in this petition by the petitioner has been withdrawn. The same has been taken on record as Mark 'A'.**

**Accordingly, the writ petition has been rendered infructuous and the same is dismissed as such.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.**
**Anoop**

**( M.M.S. BEDI )**
**JUDGE**

**Civil Writ Petition No. 17182 of 2006.**

**Present:-** **Mr. R.K.Malik, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 19394 of 2006.**

**Present:-** **Mr. R.K.Malik, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 18297 of 2006.**

**Present:-** **Mr. Ranjan Lohan, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On request, adjourned to 15.12.2006.**

**To be shown in the urgent list.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 13869 of 2006.**

**Present:- Mr. R.C.Chatrath, Advocate, for the petitioners.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**Learned State counsel seeks time to file written statement. Let the reply be filed a week before the adjourned date with a copy in advance to the learned counsel for the petitioners.**

**List for arguments on 7.5.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 5280 of 2006.**

**Present:-** **Mr. Girish Agnihotri, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**
**Mr. Ajay Bhardwaj, Advocate, for respondent No.1.**

**Learned counsel for the respondents request for some time to file reply. Let reply be filed a week before the adjourned date with a copy in advance to the learned counsel for the petitioner.**

**List for arguments on 13.3.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 9838 of 2006.**

**Present:- Mr. Anand Bhardwaj, Advocate, for the petitioner.**
**Mr. Gaurav Mohunta, Advocate, for the respondents.**

**Learned counsel for the petitioner states that copy of the reply has not been supplied to him till today. The same has now been handed over in the Court to the learned counsel for the respondents.**

**List for arguments on 6.2.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**C.M.No. 19543 and 19552 of 2006**
**Civil Writ Petition No. 12457 of 2006 (O&M).**

**Present:-** **Mr. J.S.Manipur, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana for**
**respondents 1 and 2.**
**Mr. Maharaj Kumar, Advocate, for**
**respondent 3.**
**Mr. R.K.Malik, Advocate, for**
**respondents 4 and 5.**

**A copy of the order dated 8.2.2006 passed by Financial Commissioner and Principal Secretary to Government Haryana, Education Department is taken on record.**

**List for arguments on 18.12.2006.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 12331 of 2006.**

**Present:- Mr.H.N. Khanduja, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On the request made by the learned counsel for the petitioner, adjourned to 19.1.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 8808 of 2006.**

**Present:- Mr.Jitin Talwar, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**On the request made by the learned counsel for the respondents, adjourned to 2.2.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 6166 of 2006.**

**Present:- Mr. Lal Singh, Advocate, for**
**Ms. Raupinder K. Thind, Advocate, for**
**the petitioner.**

**Learned counsel for the petitioner prays for an adjournment on the ground that arguing counsel is unwell.**

**The hearing of the case is deferred to 30.1.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 5735 of 2006.**

**Present:-** **Mr. S.N.Yadav, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**Heard. Admitted.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 3782 of 2006.**

**Present:-** **Mr. R.S.Sangwan, Advocate, for the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**
**Mr. Sanja Vashisth, Advocate, for respondent No.4.**

**Our order dated 14.7.2006 has not been complied with despite adjourning the case twice as nothing has been brought on the record as to whether the medical certificate of Smt. Raj Kumari respondent No.4 showing that she is 75% physically handicapped, has not been produced which was ordered to be produced within two days on 14.7.2006.**

**Accordingly, we direct respondents 1 and 2 to produce the report of P.G.I.M.S., Rahtak without any further delay. If necessary, respondent No.4 may also be subjected to medical examination to assess her disability.**

**The expenses of the medical treatment are to be borne by the State for the time being. If the certificate Annexure-A is found to be correct and consequent report of P.G.I.M.S. Rohtak, then the expenses are to be incurred by the petitioner, otherwise the expenses shall be charged from the respondent.**

**Adjourned to 18.12.2006.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 19764 of 2006.**
**Date of Decision: 14.12.2006.**

**Braham Dutt**

**------Petitioner.**

**Versus**

**Director Haryana Institute of Public Administration, Gurgaon**

**-------Respondent.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. P.L.Verma, Advocate, for the petitioner.**

**M.M.Kumar ,J.(Oral)**

**The prayer made in this writ petition is for quashing the promotion order dated 30.5.1995 (Annexure P-2) whereby the persons junior to the petitioner is alleged to have been promoted as Clerk . It has further been pleaded that the order dated 3.7.2006 dismissing the representation filed by the petitioner claiming promotion with effect from the aforementioned date i.e. 30.5.1995 be also quashed. It is admitted position that the petitioner has been promoted on the post of clerk vide order dated 16.1.1998 (Annexure P-3) without raising any objection against his delayed promotion with effect from the date respondent No.2 the alleged junior has been promoted. Since the petitioner's work and conduct was found good, he was given promotion in 1998. It is well settled that filing of representation would not lead to acrual of cause of action as has been held by the Supreme Court in the case of S.S.Rathore Vs. State of M.P. AIR 1990 SC 10. Even a suit of such cause of action, would not be maintainable after a period of eight years. The limitation have also**

**been provided for filing a suit and also to permit the filing of written statement, as held by the Supreme Court in the case of State of M.P. Vs. Bhai Lal Bhai, 1964 SC 1006.**

**In view of the above, the writ petition is dismissed.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 6051 of 2006.**

**Present:-** **Mr. R.K.Malik, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr. D.A.G.Haryana.**

**Learned counsel for the respondents is permitted to file reply in the Registry. Reply be filed in the Registry within two days with an advance copy to the counsel opposite.**

**List for arguments on 8.3.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 5006 of 2006.**

**Present:-** **Mr. Jagbir Malik, Advocate, for**
**the petitioner.**
**Mr. Mohnish Sharma, Advocate, for**
**Mr. Narender Hooda, Advocate, for**
**the respondents.**

**Learned counsel for the respondents is permitted to file reply in the Registry. Reply be filed in the Registry within two days with an advance copy to the counsel opposite.**

**List for arguments on 30.1.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**Civil Writ Petition No. 7385 of 2006.**

**Present:-** **Mr. S.N.Yadav, Advocate, for**
**the petitioner.**
**Mr. Harish Rathee, Sr.D.A.G.Haryana, for**
**respondent Nos. 1 to 4.**

**On request, adjourned to 18.1.2007.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.** **( M.M.S. BEDI )**
**Anoop** **JUDGE**

**In the High Court of Punjab and Haryana at Chandigarh.**

**C.W.P.No. 13370 of 2006.**
**Date of Decision: 14.12.2006.**

**M/S. Liberty Shoes Limited and others**

**------Petitioners.**

**Versus**

**State of Haryana & another -------Respondents.**

**Coram: Hon'ble Mr. Justice M.M.KUMAR**
**Hon'ble Mr. Justice M.M.S.BEDI.**

**Present:- Mr. H.R. Mittal, Advocate, for the petitioners.**
**Mr. Harish Rathee, Sr.D.A.G.Haryana, for the respondents.**

**M.M.Kumar ,J.(Oral)**

**A copy of the order dated 13.12.2006 has been placed on record, according to which, the matter has been referred to the Labour Court, Panipat.**

**Learned counsel for the petitioners states that nothing survives in this petition for adjudication of proceedings and the same be dismissed as having been rendered infructuous.**

**Ordered accordingly.**

**( M.M. KUMAR)**
**JUDGE**

**14.12.2006.**
**Anoop**

**( M.M.S. BEDI )**
**JUDGE**